

## DECLARATION

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

"OPTICAL POLARIZATION BEAM COMBINER/SPLITTER"

The specification of this subject matter:

is attached hereto.

was filed on, 1999;

was assigned serial No.;

which was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware. I further hereby state that the specification of the above identified patent application adequately describes how to make and use the claimed invention, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Application No. | Country | Filing Date | Priority Claimed |
|-----------------|---------|-------------|------------------|
|-----------------|---------|-------------|------------------|

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

| Application No. | Filing Date | Status (Issued, Pending, Abandoned) |
|-----------------|-------------|-------------------------------------|
|-----------------|-------------|-------------------------------------|

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than an inventor who qualifies as an individual inventor pursuant to 37 C.F.R. §1.9(c), who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).\*

\*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: Yonglin Huang

ADDRESS: 2463 Flickinger Road, San Jose, California 95131

Individual  Small Business Concern  Nonprofit Organization

FULL NAME: Ping Xie

ADDRESS: 1272 Chessington Drive, San Jose, California 95131

Individual  Small Business Concern  Nonprofit Organization

FULL NAME:

ADDRESS:

Individual  Small Business Concern  Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

New Focus, Inc.  
2630 Walsh Avenue  
Santa Clara, CA 95051

Signature

Date

8/10/99

Timothy Day

Print Name

Chief Technology Officer

Title

**COPY**

## POWER OF ATTORNEY

New Focus Inc., a California corporation, assignee of the application for United States Letters

Patent for an invention entitled:

### “OPTICAL POLARIZATION BEAM COMBINER/SPLITTER”

invented by:

Yonglin Huang and Ping Xie

- executed on even date herewith, or  
 having serial No. , filed ,

do(es) hereby appoint Kenneth D'Alessandro, Registration No. 29,144; Sean P. Lewis, Registration No. 42,798; Timothy Brisson, Registration No. 44,064; Michael Brandt, Registration No. 39,119; and Robert Hall, Registration No. 39,209, Jonathan Velasco, Registration No. 42,700, Michael Kerr, Registration No. 42,722, as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, and certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, a copy of which is attached, from the inventor(s) of the patent application identified above.

Please send all correspondence and direct all telephone calls to:

Kenneth D'Alessandro  
Sierra Patent Group, Ltd.  
P.O. Box 6149  
Stateline, NV 89449  
Telephone (775) 586-9500

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

I, the undersigned, declare that I am the assignee of the above identified application, or, if the assignee is a corporation, partnership, or other association, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Full Assignee Name  
Post Office Address

New Focus, Inc.  
2630 Walsh Avenue, Santa Clara, California 95051-0905

Signature

8/10/99

Date

Print Name

Chief Technology Officer  
Title

**COPY**